CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 C.F.R. § 1.10

"Express Mail" mailing label number: <u>ER 075844924US</u>
Date of Mailing: <u>22 June 2004</u>

I hereby certify that this correspondence is being deposited with the United States Postal Service, utilizing the "Express Mail Post Office to Addressee" service addressed to Mail Stop AF/RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, and mailed on the above Date of Mailing with the above "Express Mail" mailing label number.

_ODOone

DOCKET NO. 1033-ORD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s):

Leisa Johnson, et al.

SC/Serial No.:

09/714,409

Filed:

November 14, 2000

Title:

AN ONCOLYTIC ADENOVIRUS

PATENT APPLICATION

Art Unit No: 1632

Examiner: D. NGUYEN

Confirmation No. 5051

PETITION FOR 3-MTH EXTENSION OF TIME UNDER 37 C.F.R. §1.136 (a)

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants hereby respectfully petition for a 3-month extension of time to respond to the Office Action mailed December 22, 2003. The response date was March 22, 2004. With the granting of this request, the response time is re-set to June 22, 2004.

The Commissioner is hereby authorized to charge Deposit Account No. 15-0615 in the amount of \$465.00, the fee due under 37 CFR 1.17(a)(3), or any additional fee or credit overpayment

Respectfully submitted,

06/25/2004 CNGUYEN 00000039 150615 09714409

02 FC:1253

950.00 DA

Date:

June 22, 2004

By:

Gregory Giotta (Reg. No. 32,028)

ONYX Pharmaceuticals, Inc. 3031 Research Drive Richmond, California 94806 Telephone (510) 262-8710